

Appl. No. 09/905,274
Atty. Docket No. 8609
Amdt. Dated July 29, 2003
Reply to Office Action of July 2, 2003
Customer No. 27752

REMARKS

Formal Matters

Claims 14-20 have been withdrawn. Claims 21-25 have been added. Support for new Claim 21 can be found in Claim 1 and page 7, lines 21-23 of the Specification, as originally submitted. Support for new Claim 22 can be found in Claim 6, as originally submitted. Support for new Claim 23 can be found on page 8, lines 2-3, of the Specification, as originally submitted. Support for new Claim 24 can be found in original Claim 10, as originally submitted. Support for new Claim 25 can be found in Claim 1 and in the Specification on page 7, lines 21-23, as originally submitted. No new matter has been added.

Claims 1-13 and 21-25 remain in this Application and are presented for the Examiner's reconsideration in light of the following comments.

Rejection Under 35 U.S.C. §102(b)

Claims 1-6 and 13 were rejected under 35 U.S.C. §102(b) over Davidson, U.S. Patent No. 2,164,702. Applicant respectfully traverses this rejection for the following reasons:

1. Applicant's invention, as presented in Claim 1, claims a web pleating apparatus comprising a first series and second series of elongate spaced protuberances each converging in the machine direction.
2. Further, Applicant's claimed invention, as presented in Claim 1, requires that the first and second series of protuberances interleave in the Z-direction.
3. Applicant is at a loss to understand how the corrugating roller elements of *Davidson* can be considered elongate. *See* Col. 4, lines 63-70; Figs. 17, 18.
4. Further, *Davidson* is silent with respect to providing a first and second series of elongate spaced protuberances that each converge in the machine direction.
5. Further, Applicant is at a loss to understand how the rollers provided in *Davidson* can be considered to interleave in the Z-direction.
6. Contrary to the Examiner's assertion, Fig. 19 depicts a plurality of strands or strips of materials that converge in the machine direction. *See* p. 3, Col. 5, lines 56-65. What the Examiner asserts as protuberances in Fig. 19, *Davidson* describes as cutters 22a. *See* p. 3, Col. 5, lines 63-64.

Due to these considerations, *Davidson* fails to teach and every element of Applicant's claimed invention. Because Applicant's web pleating apparatus comprises a first series and second series of elongate spaced protuberances that converge in the machine direction and interleave in the Z-direction, Applicant's claimed invention is novel over *Davidson*. Therefore, Applicant requests withdrawal of the Examiner's 35 U.S.C. §102(b) rejection over *Davidson* with respect to Claim 1.

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Further, because Claims 2-13 all depend directly or indirectly from Applicant's independent Claim 1, they contain all of its limitations. For this reason, Applicant submits that the arguments made above concerning the allowability of Claim 1 are equally applicable to the rejection of Claims 2-13 under 35 U.S.C. §102(b). Applicant therefore requests reconsideration and withdrawal of the 35 U.S.C. §102(b) rejection to Claims 2-13 over *Davidson*.

Conclusion

Based on all the foregoing, it is respectfully submitted that each of Applicant's remaining claims is in condition for allowance and favorable reconsideration is requested.

This response is timely filed pursuant to the provisions of 37 C.F.R. §1.8 and M.P.E.P. §512. If any additional charges are due, the Examiner is authorized to deduct such charges from Deposit Account No. 16-2480 in the name of The Procter & Gamble Company.

Respectfully submitted,
CLIFFORD T. PAPSDORF



By: Peter D. Meyer
Attorney for Applicant(s)
Registration No. 47,792
(513) 634-9359

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